

AO 91 (Rev. 11/11) Criminal Complaint

SEALED

~~Filed 01/27/25 Page 1 of 4 PageID 1~~

NORTHERN DISTRICT OF TEXAS
FILED

JAN 22 2020

CLERK, U.S. DISTRICT COURT

By _____ Deputy

SVS

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

United States of America

v.

ERIC BRYAN RODRIGUEZ

Case No.

3:20-MJ-53-BK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 1, 2019 to November 30, 2019 in the county of Dallas in the Northern District of Texas, the defendant(s) violated:

Code Section

Offense Description


18 U.S.C. § 922(a)(1)(A)

ENGAGING IN BUSINESS OF DEALING FIREARMS WITHOUT A LICENSE

This criminal complaint is based on these facts:

See attached affidavit of ATF Special Agent Robert Gardner.

☒ Continued on the attached sheet.



Complainant's signature

ATF Special Agent Robert Gardner

Printed name and title

Sworn to before me and signed in my presence.

Date:

City and state: Dallas, Texas

Printed name and title

[Signature]

Judge's signature

Judge's signature

RENÉE HARRIS TOLIVER, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL
COMPLAINT AND ARREST WARRANT**

I, Robert Gardner, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), being duly sworn, do depose and state the following:

INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been employed with the ATF since June 2018. I am presently assigned to the Dallas Field Division, in Dallas, Texas. As such, I am an "investigative or law enforcement officer" of the United States within the meaning of 21 U.S.C. § 878(a). As part of my duties, I have participated in a number of investigations involving violations of 18 U.S.C. § 922(a)(1)(A) (Engaging in the Business of Dealing in Firearms Without a License). This affidavit is made in support of a criminal complaint and arrest warrant for Eric Bryan Rodriguez (a Hispanic male, date of birth XX-XX-1999).

2. This affidavit is based on my personal knowledge as well as on information provided to me by other law enforcement officers and other individuals who have participated in this investigation. Since this affidavit is being submitted for the limited purpose of establishing probable cause for an arrest warrant via criminal complaint, I have not included each and every fact known to me concerning this investigation.

PROBABLE CAUSE

3. The ATF has been investigating Eric Bryan Rodriguez for matters that include involved Engaging in the Business of Dealing in Firearms Without a License in

the Dallas Division of the Northern District of Texas from on or about April 1, 2019 continuing through November 30, 2019.

4. According to ATF records of multiple sales, Rodriguez has purchased 21 firearms—16 AK pattern rifles and 5 AR-15 pattern rifles—in the eight month time period between April, 2019 and November, 2019. The majority of these rifles were purchased at the Gun Zone in Mesquite, Texas, and Texas Eagle Armory in Sachse, Texas—both in the Dallas Division of the Northern District of Texas. Rodriguez paid all cash for each purchase and the estimated total value of the firearms purchased is approximately \$12,000 dollars. Yet, an employment history inquiry of Rodriguez on Texas Workforce Commission shows an income of only \$3,125.89 in the first two quarters of 2019.

5. Rodriguez made numerous multiple purchases of the same make and model firearm in conjunction with other similar models all within the short time span of 8 months. Based on my experience and knowledge of the firearms business, none of the firearms purchased are known in the firearms community as collectable firearms of historical significance nor are they firearms that are likely to increase in value. Additionally, in my training and experience, individuals who purchase firearms for personal use keep them for substantial periods of time often exceeding several years.

6. On November 7, 2019, ATF Special Agents Craig Jones and Jordan Klutka interviewed Eric Rodriguez at his residence. During the interview, Rodriguez stated he does not have any of the firearms that he purchased in the prior eight months. Rodriguez told agents that he acquires firearms and then willfully engages in selling them for profit

at gun shows which he claimed he went to in Fort Worth, Texas. When asked, Rodriguez was unable to recall which specific gun show he attended. Rodriguez provided a vague statement where he claimed that he sold the firearms to a middle-aged Hispanic male. Rodriguez also stated he has engaged in purchasing firearms with two other individuals as well. Rodriguez was served with a Cease and Desist order, as he admitted he did not have a federal firearms license even though he was engaging in the business of dealing firearms.

7. I conducted a check for any pending ATF Federal Firearm Licensee (FFL) applications under Eric Bryan Rodriguez's name with negative results.

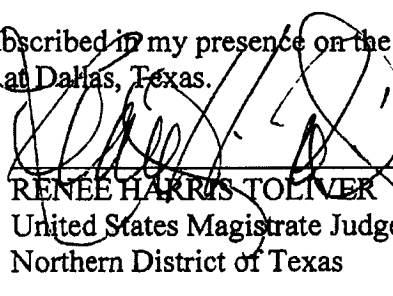
CONCLUSION

Based on the foregoing facts, acts, and circumstances, there is probable cause to believe that from on or about April 1, 2019 continuing through November 30, 2019, Eric Bryan Rodriguez (a Hispanic male, date of birth XX-XX-1999) committed a violation of 18 U.S.C. § 922(a)(1)(A), that is, Engaging in the Business of Dealing in Firearms Without a License, within the Northern District of Texas.

1/22/2020
Date


ROBERT GARDNER
Special Agent, ATF

Sworn to before me and subscribed in my presence on the 22nd day of January 2020, at 11:29 a.m./p.m. at Dallas, Texas.


RENEE HARRIS TOLIVER
United States Magistrate Judge
Northern District of Texas